

# Tanox, Inc.



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Houston, TX 77025  
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## FAX TRANSMISSION COVER SHEET

Date: August 27, 2004

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Company: US Patent & Trademark Office  
Technology Center 1600

Fax: (703) 872-9306

Sender: Cheryl A. Liljestrand

RE: U.S. Application No. 10/005,438

Attorney Docket No.: TNX95-02ABB

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PTO/SB/21 (03-03)

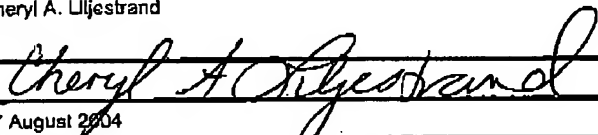
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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/005,438	
	Filing Date	03 December 2001	
	First Named Inventor	Liming YU	
	Art Unit	1642	
	Examiner Name	Susan Ungar	
Total Number of Pages in This Submission	32	Attorney Docket Number	TNX95-02ABB

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to a Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Cheryl A. Liljestrand
Signature	
Date	27 August 2004

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Typed or printed	Angela K. Haffelder	Date	27 August 2004
Signature			

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PATENT  
ATTORNEY DOCKET NO.: 95-02ABB  
Customer No.: 26839

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:  
Tse Wen Chang

Serial No.: 10/005,438

Filed: December 3, 2001

For: HYBRID WITH INTERFERON- $\alpha$  AND AN  
IMMUNOGLOBULIN Fc FOR  
TREATMENT OF TUMORS

Group Art Unit: 1642

Examiner: S. Ungar


Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

RESUBMISSION OF PRELIMINARY AMENDMENT AND RESPONSE TO  
RESTRICTION REQUIREMENT

In response to the Restriction Requirement mailed on July 28, 2004, request that the Restriction be withdrawn in light of Applicants resubmission of the Preliminary Amendment filed on March 20, 2002, including the autoreply Facsimile Transmission sheet as proof of filing. This Preliminary Amendment canceled claims 1-13 and added new claims 14-22, along with amendments to the specification and an IDS. It is clear from the Restriction Requirement that this Preliminary Amendment was not entered. Therefore, Applicants request that the Restriction Requirement be withdrawn and the Preliminary amendment entered.

Respectfully Submitted

By:   
Cheryl A. Liljestrand  
Reg. No. 45,275

Dated: August 27, 2004.

03/20/02 18:44:11

USPTO-&gt;

7135785002 RightFAX

Page 001

TO: Auto-reply fax to 7135785002 COMPANY:

## Auto-Reply Facsimile Transmission



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Cover  
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03/20/02 WED 17:43 FAX 7135785002		Tanox, Inc.		001
<b>Tanox, Inc.</b>				
 4889 Loop Central Dr. Suite 820 Houston, TX 77081 (713) 878-4000 Fax: (713) 578-6002				
FAX TRANSMISSION COVER SHEET				
Date:	March 20, 2002			
To:	Examiner Susan Unger			
Company:	US Patent & Trademark Office Technology Center 1500			
Fax:	(703) 872-9306			
Sender:	Cheryl A. Ullstrand			
RE:	U.S. Application No. 10/006,436		Attorney Docket No.: TNX96-02A5B	
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Signature: <u>Cheryl A. Ullstrand</u>				
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PAGE 4/33 \* RCVD AT 8/27/2004 2:31:18 PM [Eastern Daylight Time] \* SVR:USPTO-EFAXF-1/2 \* DNIS:8729306 \* CSID:7135785005 \* DURATION (mm-ss):09-16

08/27/04 13:34 FAX 7135785005  
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T Tanox, Inc.

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## Tanox, Inc.



4888 Loop Central Dr.  
Suite 820  
Houston, TX 77081  
(713) 578-4000  
Fax: (713) 578-5002

### FAX TRANSMISSION COVER SHEET

Date: March 20, 2002

To: Examiner Susan Ungar

Company: US Patent & Trademark Office  
Technology Center 1600

Fax: (703) 872-9306

Sender: Cheryl A. Liljestrand

RE: U.S. Application No. 10/005,438

Attorney Docket No.: TNX95-02ABB

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Cheryl A. Liljestrand

# Tanox, Inc.



4888 Loop Central Dr.  
Suite 820  
Houston, TX 77081  
(713) 578-4000  
Fax: (713) 578-5002

## FAX TRANSMISSION COVER SHEET

Date: March 20, 2002

To: Examiner Susan Ungar

Company: US Patent & Trademark Office  
Technology Center 1600

Fax: (703) 872-9306

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Attorney Docket No.: TNX95-02ABB

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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/005,438	
	Filing Date	Dec. 3, 2001	
	First Named Inventor	Tse Wen CHANG	
	Group Art Unit	1642	
	Examiner Name	S. LUNAR	
Total Number of Pages in This Submission	34	Attorney Docket Number	TNX 95-02ABB

ENCLOSURES (check all that apply)		
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Remarks Amendment includes substitute pages for specification pages 2, 11-16, and a marked-up version of same.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Cheryl A. Liljestrand
Signature	Cheryl A. Liljestrand
Date	March 20, 2002

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PATENT  
ATTORNEY DOCKET NO.: 95-02ABB  
Customer No.: 26839

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:  
Tse Wen Chang

Serial No.: 10/005,438

Filed: December 3, 2001

For: HYBRID WITH INTERFERON- $\alpha$  AND AN  
IMMUNOGLOBULIN Fc FOR  
TREATMENT OF TUMORS

Group Art Unit: 1642

Examiner: S. Ungar

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

**PRELIMINARY AMENDMENT**

Prior to examination on the merits, Applicant requests entry of the following amendments.

Please amend the application as follows:

**IN THE SPECIFICATION:**

Please substitute the following sentence for the first sentence of page one:

"This application is a division of co-pending U.S. Application No. 09/268,787, filed 3/16/1999, which is a continuation-in-part of U.S. Application No. 08/994,719, filed 12/19/1997 (now U.S. Patent No. 5,908,626), which is a continuation-in-part of U.S. Application No. 08/719,331, filed 9/25/1996 (now U.S. Patent No. 5,723,125) which is a continuation-in-part of U.S. Application No. 08/579,211, filed 12/28/1995 (now abandoned), and to which priority is claimed under 35 U.S.C. §120."